

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 3059 of 2018

and W.M.P.No. 3743 of 2018

M/s. Young Brand Apparel Private Ltd.,
Rep. By its CFO - T.V. Guru Krishnan,
Kattuputhur Village,
Ozhaiyur Post, Uthiramerur Taluk,
Kancheepuram District - 603 107.

... Petitioner

-vs-

1.The Regional PF Commissioner-I
Employees' Provident Fund Organisation,
Regional Office,
S-1, TNHB, Phase - III,
Sathuvachari,
Vellore - 632 009.

2.The Presiding Officer,
Central Government Industrial
Tribunal - Cum - Labour Court,
Chennai.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the 1st Respondent from initiating recovery proceeding against the petitioner in terms of its order dated 19.01.2018 in proceedings No. TN/VL/74533/Div.V/2017-18/3821, till the appeal filed by the petitioner is taken up for hearing by the 2nd respondent.

For Petitioner : Mr. S. Bazeer Ahamed
For R1 : Ms. V.J. Latha

O R D E R

(through video conference)

Heard Mr. S. Bazeer Ahmed, Learned Counsel for the Petitioner and Ms. V.J. Latha, Learned Counsel for the First Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed to forbear First Respondent from initiating recovery proceeding against the Petitioner in terms of its order dated 19.01.2018 in proceedings No. TN/VL/74533/Div.V/2017-18/3821, till the appeal filed by the Petitioner is taken up for hearing by the Second Respondent.

3. When the matter is taken up for hearing, it is informed by the Learned Counsel for both sides that the appeal filed by the Petitioner before the Second Respondent has been taken on file as EPFA No. 480 of 2018 and posted for next hearing on 13.08.2020. Learned Counsel for the Petitioner has also filed a memo to that effect along with the copy of the notice of first hearing received from the Second Respondent, which are placed on record.

4. In view of the subsequent events, nothing remains for further consideration in this Writ Petition. It is needless to state that the Petitioner is not precluded from seeking appropriate interim relief in the pending appeal before the Second Respondent.

5. Accordingly, this Writ Petition is disposed with the aforesaid observations. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

-s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

dm

To

1.The Regional PF Commissioner-I
Employees' Provident Fund Organisation,
Regional Office,
S-1, TNHB, Phase - III,
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